THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.483 of 2003

Dated: 28.06.2007

Between:

Smt.Gudla Rajulamma.

..... PETITIONER

AND

The District Collector and Agent to Government, Kakinada, and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.483 of 2003

ORDER:

The Special Deputy Collector (Tribal Welfare), Rampachodavaram Village, West Godavari District, passed order under Section 3(2) of the Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959 (Regulation No.I of 1959, for brevity) on 07.11.2002 in L.T.R.P.No.26 of 2001 ordering eviction of the petitioner from the land admeasuring Acs.2.10 in survey No.4/1, Ac.0.58 in survey No.5/2, Acs.5.00 in survey No.6/1, Acs.0.82 in survey No.6/2 and Ac.1.36 in survey No.9/1 situated at Boyapadu Village, Rajavommangi Mandal, East Godavari District. The petitioner filed an appeal, being C.M.A.No.31 of 2002, under Section 3(3) of the Regulation No.I of 1959. As no orders of stay are passed therein, alleging that there is threat of dispossession, the petitioner filed instant writ petition. This Court, while admitting the writ petition on 08.01.2003, granted *status quo*. A counter-affidavit is filed by second respondent and the fact that the appeal before the Agent to Government is pending is not denied. Therefore, it is not proper for this Court to express any opinion on the merits of the case. It would be in the interests of justice to direct the appellate authority, first respondent herein, to dispose of C.M.A.No.31 of 2002 filed by the petitioner against the order dated 07.11.2002 in L.T.R.P.No.26 of 2001. This exercise may be completed within a period of four weeks from the date of receipt of a copy of this order. Till then there shall be *status quo* as to the possession if the petitioner is still in possession of the land admeasuring Acs.2.10 in survey No.4/1, Ac.0.58 in survey No.5/2, Acs.5.00 in survey No.6/1, Acs.0.82 in survey No.6/2 and Ac.1.36 in survey No.9/1 situated at Boyapadu Village, Rajavommangi Mandal, East Godavari District.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

28th June, 2007
ghn